

Minutes of the regular Durand City Council meeting held on Monday, August 7, 2023 at 6:30 p.m. in the Council Chambers at Durand City Hall.

Mayor Brands called the meeting to order at 6:30 p.m.

ROLL CALL:

Present: Brian Boggs, Mayor Jeff Brands, Deb Doyle, Nick Florindi, Rich Folaron, Pat O'Connor, Sara Pettit.

Absent: None

PLEDGE OF ALLEGIANCE:

The Council led the Pledge of Allegiance to the United States of America.

APPROVAL OF AGENDA:

Florindi moved, O'Connor supported to approve the agenda as presented.

Carried

APPROVAL OF MINUTES

Boggs moved, Florindi supported to approve the minutes of the two special meetings held on June 29, 2023 and the regular meeting held on July 17, 2023 as presented.

Carried

APPROVAL OF BILLS:

Pettit moved, O'Connor supported to pay bills #56366-56446.

YEAS: Boggs, Mayor Brands, Doyle, Florindi, Folaron, O'Connor, Pettit

NAYS: None

Carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 W. Summit – She inquired about the sewer/water rates for this year and if there was enough street millage to repair/replace the remaining streets in Durand.

Bryan Marks, Board Chair of the SEDP – He spoke about the meeting that took place recently between the City, Vernon Township, SEDP, MEDC and a company that is interested in bringing economic development to the area.

John Matejewski, 708 Kingswood – He told the council that the company that got the sidewalk bid this summer did a really good job. He also asked if the city would put a camera on the Clock Tower to help deter vandalism.

Rod Hall, 10511 E. Lansing Rd. He asked the Council to reconsider withdrawing support for the SEDP. He said that we need the economic development in our community.

Justin Horvath, 818 S. Washington Street, Representing the SEDP. He said that they have worked very hard to bring the City/Vernon township a project. He said that they need to work with all the stakeholders to move the project forward.

Deb White, 512 N. Saginaw Street, Offered a prayer.

Shelly Ochodnický – She encouraged the city to not allow this company to come into our community.

CITY COUNCIL RESPOND TO CITIZEN’S COMMENTS:

Boggs: He said that the city pulling support from the SEDP does not stop the project from going forward, in fact it puts the City Manager in direct engagement with the MEDC and the interested company. He questioned both Justin Horvath and Bryan Marks about the issues involving recent meetings and communications regarding project.

Brands: He said that he has lost faith in the SEDP.

Pettit: She questioned the SEDP regarding the recent meeting with Vernon Township, City of Durand, MEDC and the interested company. She asked why Justin didn’t stop the meeting when the people that had not signed a non-disclosure agreement were asked to leave. She also asked the SEPDP if they could tell her what they have done for the city in recent years.

ITEMS OF BUSINESS:

Public Hearing: Ordinance for Text Amendment to Ordinance 06-01 (domestic animals)

Mayor Brands opened the Public Hearing at 7:32 p.m.

- Paula Brooks spoke saying that she does not want dogs in the downtown, that it is a sanitary and safety issue.
- Mary Stone, 3810 S. Reed Rd. She said that she is not an advocate for having dogs at events.

Mayor Brands closed the Public Hearing at 7:35

**CITY OF DURAND
ORDINANCE NO. 2324-08-07-01**

AN ORDINANCE TO AMEND CITY OF DURAND ORDINANCE NO. 06-01 BY ADDING “NOTWITHSTANDING DOGS” TO THE END OF THE PUBLIC PURPOSE SECTION:

THE CITY COUNCIL OF THE CITY OF DURAND ORDAINS AS FOLLOWS:

Public Purpose. The City Council of the City of Durand does hereby deem it to be in the best interests of the citizens of the City of Durand to amend City of Durand Ordinance No. 06-01 and, in so doing, allow the presence of dogs in the downtown area of Durand.

Amended Ordinances:

City of Durand Ordinance No. 06-01 is amended to include the language “notwithstanding dogs” to the end of the Public Purpose section.

Posting. The City Clerk is hereby directed to cause this Ordinance to be published.

Effective Date. This Ordinance and the rules, provisions orders and matters established and adopted hereby shall take effect and be in full force and effect fifteen (15) days from and after the date of its final passage and adoption.

Florindi moved, Folaron supported to adopt the text amendment to ordinance 06-01, as presented.

YEAS: Mayor Brands, Doyle, Florindi, Folaron, O’Connor, Pettit

NAYS: Boggs

Carried

Public Hearing: Text Amendment to Ordinance 50-184 2023 Non-Motor Vehicle Transportation Ordinance.

Mayor Brands opened the public hearing at 7:42 p.m.
No one spoke
Mayor Brands closed the public hearing at 7:43 p.m.

**CITY OF DURAND
ORDINANCE NO. 2324-08-07-02**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF DURAND, MICHIGAN BY AMENDING SECTION 50-184, SHORT TITLE; PURPOSES; AMENDMENTS; SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; POSTING; EFFECTIVE DATE

THE CITY COUNCIL OF THE CITY OF DURAND ORDAINS AS FOLLOWS:

Short Title. This ordinance shall be known and be cited as the “2023 Non-Motor Vehicle Transportation Ordinance.”

Public Purpose. The City Council of the City of Durand does hereby deem it to be in the best interests of the citizens of the City of Durand to hereby amend right-of-way and signaling requirements for those using bicycles, roller skates, skateboards, coasters or similar devices on public sidewalks and to allow such devices in the central business area.

Amendments:

Chapter 50, Article 6, Sec. 50-184.-Skateboards, bicycles, roller skates, coasters, and similar devices is hereby amended as follows:

Sec. 50-184.-Skateboards, bicycles, roller skates, coasters and similar devices.

- (a) *Sidewalk and pedestrian areas; yielding right-of-way.* Any person upon a bicycle, roller skates, skateboard, coaster, self-propelled or similar device riding on any public sidewalk, public right -of-way or area commonly frequented by pedestrians shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.
- (b) *Central business areas prohibited areas.* No person shall ride on any bicycle, roller skates, skateboard, coaster or similar device on a public sidewalk, right -of-way or other area commonly frequented by pedestrians within the areas of the city listed as follows:
 - (1) One hundred and 200 block of North Saginaw Street;
 - (2) One hundred block of West Clinton;
 - (3) One hundred block of East Clinton
 - (4) One hundred and 200 block of East Main Street
 - (5) One hundred and 200 block of West Main Street

Severability. Should any section, clause or provision of this ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

Repeal of Conflicting Ordinances. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Posting. The City Clerk is hereby directed to cause this Ordinance to be published.

Effective Date. This Ordinance and the rules, provisions orders and matters established and adopted hereby shall take effect and be in full force and effect fifteen (15) days from and after the date of its final passage and adoption.

Florindi moved, O'Connor supported to adopt the 2023 Non-Motor Vehicle Transportation Ordinance as presented.

YEAS: Mayor Brands, Doyle, Florindi, Folaron, O'Connor, Pettit

NAYS: Boggs

Carried

Boggs moved, Folaron supported to adopt the Solar and Wind Systems Ordinance as presented.

YEAS: Doyle, Florindi, Folaron, O'Connor, Pettit, Boggs, Mayor Brands

NAYS: None

Carried

Pettit moved, Folaron supported to approve the agreement with the County for Election Services and to authorize the City Clerk to sign the agreement on behalf of the city.

YEAS: Florindi, Folaron, O'Connor, Pettit, Mayor Brands, Doyle

NAYS: None

ABSTAIN: Boggs

Carried

Mayor Brands recessed at 7:46 p.m.

Mayor Brands reconvened at 7:55 p.m.

Boggs moved, O'Connor supported to approve the resolution for the proposed ballot language for Headlee Override with the election to be held in November 2023.

YEAS: Folaron, O'Connor, Pettit, Boggs, Mayor Brands, Doyle, Florindi

NAYS: None

Carried

Folaron moved, Pettit supported to approve the withdrawal of funding, membership, and Board of Directors seat from the Shiawassee Economic Development Partnership effective immediately.

YEAS: O'Connor, Pettit, Mayor Brands, Doyle, Florindi, Folaron

NAYS: None

ABSTAIN: Boggs

Carried

Folaron moved, O'Connor supported to approve pay application #2 for the CWSRF project payable to Oak Construction in an amount not to exceed \$236,839.14.

YEAS: Pettit, Boggs, Mayor Brands, Doyle, Florindi, Folaron, O'Connor

NAYS: None

Carried

SSESA Update: A representative with SSESA gave a brief update stating that all of their rigs are now Advanced Life Support (ALS) which means they all have paramedics on board. SSESA will prepare an extension agreement with the City that will state the rates that will be in effect from October 2023 to July 2024, following the expiration of our current contract.

CITIZENS SPEAK ON AGENDA ITEMS ONLY:

Rod Hall, He said that he didn't agree with the Council withdrawing from the SEDP but he respects the Council's decision.

Michael Aversa, Flushing, He said that there is corruption in the State of Michigan.

Mary Stone, she said that Vernon Township stepped away from the SEDP several years ago and stated: if you aren't at the table how will you get information about this project or upcoming projects.

Bryan Marks, He said that he does not want foreign adversaries to come here. He said that he was appalled at the comment made by Councilman O'Connor.

Nick Florindi spoke about a documentary from Ohio that had Chinese people who came to Ohio from China that had a difficult time assimilating into the American lifestyle/community. It caused a lot of problems.

Blair Pancheck, owner of Shaw's Pharmacy stated that while she was on the school board, they tried three times for a headlee rollback and failed all three times. She said that you need to educate the residents about the issue.

Justin Horvath he said that twenty-one years ago the SEDP was founded. He said that this relationship with the city has failed but that the SEDP is still here for economic development. He said that this county need jobs. He and the SEDP are not giving up on bringing economic development to the county and they are here to help.

COUNCIL COMMENTS:

Doyle: She asked the City Clerk to send Paula Brooks the new water/sewer rates that she requested at the beginning of the meeting.

Florindi: He said that he thinks that the Council should create a committee for special events. Other members said that we have that with the Chamber of Commerce and Florindi said that we would work with the Chamber Director.

Boggs: He talked about the Halo Project and that now the City Manager gets a seat at the table when the city leaves the SEDP.

Pettit: She said that the city will have to educate the residents to have the Headlee override pass in November. She suggested that they use social media to get the word out.

O'Connor: He apologized if he appeared to be racist, it was not his intention.

Brands: He said that he didn't want to withdraw from the SEDP but felt he had to. He said that he wants and needs development in our city. He thanked everyone for showing up tonight.

Mayor Brands adjourned the meeting at 8:48 p.m.

Jeffrey Brands, Mayor

Mindy McKay, City Clerk

